
TITLE 440 DIVISION OF MENTAL HEALTH AND ADDICTION

Notice of Intent to Adopt a Rule

LSA Document #14-343

Under [IC 4-22-2-23](#), the Division of Mental Health and Addiction intends to adopt a rule concerning the following:

OVERVIEW: Amends [440 IAC 10-1](#) to change and add definitions. Adds [440 IAC 10-2-2](#) to designate the director of the Division of Mental Health and Addiction or his or her designee as the state opioid treatment authority. Amends [440 IAC 10-4-13](#) to clarify responsibilities of a program physician and a medical director and to allow a licensed clinical addiction counselor to work as a counselor for an opioid treatment program. Amends [440 IAC 10-4-16](#) to change the term physical evaluation to initial assessment and clarify the requirements for conducting an initial assessment. Amends [440 IAC 10-4-19](#) to list other medications as alternatives to methadone that may be used by opioid treatment programs to treat patients and to require the program physician to check the Indiana INSPECT program prior to administering any opioid treatment medications, to document the findings in the patient's record, and to explain to the patient the risks and benefits of treatment medication and relevant facts concerning the use of opioid treatment medications to ensure that the patient voluntarily chooses maintenance treatment. Amends [440 IAC 10-4-26](#) to require opioid treatment programs to submit exception requests to the division for all self-administered opioid treatment medication for more than seven days. Adds [440 IAC 10-4-42](#) to establish standards and protocols for patients who are receiving opioid treatment medications. Adds [440 IAC 10-4-43](#) to establish mandatory reporting requirements. Written comments should be addressed to the Small Business Regulatory Coordinator for this rule. Effective 30 days after filing with the Publisher. Statutory authority: [IC 12-23-1-6](#); [IC 12-23-18](#).

For purposes of [IC 4-22-2-28.1](#), the Small Business Regulatory Coordinator for this rule is:

Mick Schoenradt
Indiana Family and Social Services Administration
Division of Mental Health and Addiction
Indiana Government Center South
402 W. Washington St., Rm. W353
Indianapolis, IN 46204
(317) 232-7913
mick.schoenradt@fssa.in.gov

For purposes of [IC 4-22-2-28.1](#), the Small Business Ombudsman designated by [IC 4-4-35-8](#) is:

Erik Scheub
Office of Small Business and Entrepreneurship
One North Capitol, Suite 600
Indianapolis, IN 46204
(317) 232-5679
ombudsman@osbe.in.gov

Resources available to regulated entities through the small business ombudsman include the ombudsman's duties stated in [IC 4-4-35-8](#), specifically [IC 4-4-35-8\(9\)](#), investigating and attempting to resolve any matter regarding compliance by a small business with a law, rule, or policy administered by a state agency, either as a party to a proceeding or as a mediator.

Posted: 08/27/2014 by Legislative Services Agency

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